

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

SYLVESTER JACKSON,

Plaintiff,

ORDER

v.

16-cv-542-bbc

P. SCHULZ, CAPT. FOSTER,
CAPT. JENSEN and SGT. GARCIA,

Defendants.

Plaintiff Sylvester Jackson is proceeding pro se in this case on the following claims:

- defendants Sergeant Garcia, Captain Jensen and P. Schulz gave plaintiff a conduct report after plaintiff called Garcia “unprofessional”; this action was “racist,” in violation of plaintiff’s right to free speech;
- defendant Captain Foster punished plaintiff more severely because of his race, in violation of the equal protection clause; and
- after plaintiff was released from segregation, defendants Foster and Garcia violated plaintiff’s First Amendment and equal protection rights by transferring plaintiff to a different unit because of his race and because of his protected speech.

On January 8, 2018, defendants filed a motion for summary judgment, along with proposed findings of fact and supporting evidence Dkt. #34. Despite receiving two extensions of his deadline to file a brief in opposition, plaintiff has not filed any opposition or other response to defendants’ motion for summary judgment. Plaintiff’s failure to respond to defendants’ motion suggests that he has lost interest in pursuing his case and no longer intends to prosecute it.

I will give plaintiff one more opportunity to submit a substantive response to defendants' motion for summary judgment. If he fails to do so by the new deadline, I will dismiss this case with prejudice for plaintiff's failure to prosecute it. James v. McDonald's Corp., 417 F.3d 672, 681 (7th Cir. 2005) ("A district court has the authority under Federal Rule of Civil Procedure 41(b) to enter a sua sponte order of dismissal for lack of prosecution.")

ORDER

IT IS ORDERED that plaintiff Sylvester Jackson may have until May 17, 2018 to file a response to defendants' motion for summary judgment. If plaintiff does not respond by that date, I will dismiss this case with prejudice for plaintiff's failure to prosecute it.

Entered this 10th day of May, 2018.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge